DOCUMENT RESUME

ED 334 800 EC 300 546

TITLE	Department of Education: Monitoring of State Formula Grants by Office of Special Education Programs. Fact Sheet for the Chairman, Subcommittee on Disability Policy, Committee on Labor and Human Resources, U.S. Senate.
INSTITUTION	General Accounting Office, Washington, D.C. Div. of Human Resources.
REPORT NO	GAO/HRD-91-91FS
PUB DATE	Apr 91
NOTE	13p.; For a related document, see ED 313 892.
AVAILABLE FROM	U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877 (first five copies free; additional copies $2.00 each; 100 copies or more 25% discount; prepaid).
PUB TYPE	Reports - Evaluative/Feasibility (142)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	*Accountability; *Disabilities; Efficiency; Elementary Secondary Education; Federal Programs; *Federal State Relationship; Grants; Interviews; *Program Administration; *Public Agencies; Questionnaires; Rehabilitation; Special Education; Trend Analysis
IDENTIFIERS	Formula Funding; *Office of Special Education Programs; *Program Monitoring

ABSTRACT

This report to the U.S. Congress reviews monitoring activities of the Office of Special Education Programs (OSEP) in regard to formula grant programs. The study looked at dates of the most recent monitoring visits to the state education agencies and calculated key steps in the monitoring process, such as the time from visit to issuance of the final monitoring report and the time from issuance of the final report to approval of the corrective action plan. Findings indicated no change in the frequency of monitoring visits since a 1989 study, with 15 states not visited in the previous 4-year period. The backlog of monitoring reports was reduced in comparison with that found in the previous study. Other improvements included decreased time taken to issue final monitoring reports, an additional monitoring team, and decreased time to approval of a corrective action plan. Appendixes provide a listing of OSEP visits to the 50 states and the District of Columbia for monitoring of formula grants and a chart showing changes in average processing time for key steps. (DB)

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ED334800

United States General Accounting Office

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Fact Sheet for the Chairman, Subcommittee on Disability Policy, Committee on Labor and Human Resources, U.S. Senate

April 1991

DEPARTMENT OF EDUCATION

Monitoring of State Formula Grants by Office of Special Education Programs

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United States
General Accounting Office
Washington, D.C. 20548

Human Resources Division

B-232866

April 15, 1991

The Honorable Tom Harkin
Chairman, Subcommittee on
Disability Policy
Committee on Labor and
Human Resources
United States Senate

Dear Mr. Chairman:

In your February 12, 1991, letter concerning the Department of Education's Office of Special Education Programs (OSEP), you requested that we provide information on OSEP's monitoring of its formula grant programs. Specifically, you asked us to update information on the key steps in the monitoring process, such as the frequency of monitoring visits and the time taken to issue the monitoring reports to the states. We had previously reported on OSEP monitoring in Department of Education: Management of the Office of Special Education and Rehabilitative Services (GAO/HRD-90-21BR, Nov. 28, 1989). You also requested information on OSEP follow-up to assure that states correct problems identified in monitoring visits.

Background

As part of the Department of Education's Office of Special Education and Rehabilitative Services, OSEP oversees formula grants to states and territories; under these grants, free and appropriate public education and related services are provided to children with handicaps. Under its formula grant programs, in fiscal year 1990, OSEP awarded $2.02 billion to state education agencies.

Generally, teams of OSEP staff monitor the programs, making on-site visits to state education agencies to determine whether states are in compliance with appropriate regulations. The Assistant Secretary, Office of Special Education and Rehabilitative Services, set OSEP staff the goal of one visit to each state every 3 years. Currently, monitoring visits to each state take place about every 5 to 6 years. These visits generally take about 1 week; after the visits, the OSEP staff (1) issue reports to the states identifying any compliance problems found and (2) monitor state implementation of corrective action plans (CAPs).

In our 1989 report, we studied overall grants management within the Office of Special Education and Rehabilitative Services. We also surveyed senior staff and managers who cited monitoring of formula grants

as a serious problem, especially prevalent in OSEP. OSEP was not carrying out scheduled monitoring visits and, when visits were made, it sometimes took years to issue final monitoring reports to states. Many respondents cited insufficient staff and travel funds as the primary cause of inadequate monitoring. The Assistant Secretary for Special Education and Rehabilitative Services said, in responding to our 1989 report, that steps were being taken to have OSEP carry out more extensive and timely monitoring of formula grants.

Scope and Methodology

At our request, OSEP officials gave us dates, as of fiscal year 1990, for the most recent monitoring visit to the state education agency in each of the 50 states and the District of Columbia.[1] The information included dates on when the draft monitoring report was sent to the state, when the final report was issued, and when the state's CAP was approved. We did not verify these dates. (See app. I.)

We calculated average times for key steps in the monitoring process, such as the time (1) from visit to issuance of the final monitoring report and (2) from issuance of the final report to approval of the CAP (see app. II). To identify changes over time, we calculated average times to complete the key steps for each visit made during fiscal years 1985 through 1990.[2] In some cases, OSEP did not have dates readily available for all key steps for each visit. Our analysis is limited to those steps for which dates were provided.

To ensure that corrective actions were taken, we reviewed examples from selected state files to determine (1) the areas of noncompliance identified during the monitoring visits and (2) the type of documentation required by OSEP. As agreed with your staff, we did not evaluate OSEP's monitoring procedures or the adequacy of the monitoring visits or the CAPs.

Updated Information on Monitoring

The frequency of monitoring visits has not changed since our previous report. OSEP has reduced the backlog of unissued monitoring reports, however, and is currently issuing reports in less time than it took in previous years. Several key points are summarized below.

[1]For ease of reference, we refer to 51 states in this report.

[2]In our last report, we analyzed visits made over a 4-year period, fiscal years 1985 through 1988. For comparison purposes, in our current review we calculated some information for the most recent 4-year period, fiscal years 1987 through 1990.

In our last report, we noted that of the 51 state education agencies, 13 had not received a monitoring visit by OSEP during the last 4-year period (fiscal years 1985 through 1988). As of fiscal year 1990, the number of states not visited in a 4-year period was about the same. Of the 51 state education agencies, 15 had not received a visit by OSEP during the most recent 4 years (fiscal years 1987 through 1990). Generally, OSEP conducts on-site monitoring in each state about every 5 to 6 years.

The backlog of monitoring reports has been reduced since our earlier report. Of the 38 state education agencies visited by OSEP during the 4-year period covered in that report, monitoring reports had not been issued for 19. Of the 36 state education agencies visited by OSEP during the most recent 4-year period, all but 3 had received final monitoring reports.

The time it takes to issue final monitoring reports has been decreasing. For monitoring visits made during fiscal years 1985 through 1987, it took an average of about 20 months to 2 years to issue these reports to the states. To issue final reports for visits made in fiscal year 1988, it took an average of about 18 months; for fiscal year 1989, 15 months; and for fiscal year 1990, 10 months. However, for two states visited in fiscal year 1990, as of February 25, 1991, about 1 year had passed with no reports issued.

Since 1985, OSEP has added one person to its monitoring staff. It recently changed procedures so that instead of three 5-member teams, it now uses four 4-member teams to conduct monitoring visits. OSEP travel expenditures for on-site monitoring visits for fiscal year 1988 was $26,871; for 1989, $31,832; and for 1990, $34,320.

Monitoring Corrective Action Plans

The time it takes to approve a CAP once a final report is issued has generally been decreasing since fiscal year 1985. For example, for monitoring visits made in fiscal years 1985 through 1988, it took about 10 to 20 months, on average, from report issuance to CAP approval by OSEP. For visits made in fiscal year 1989, the average was about 4 months. However, for visits to two states in fiscal year 1989, as of February 25, 1991, over 4 months had passed since the reports had been issued, but the CAPs had not yet been approved. Not enough CAPS had been approved for fiscal year 1990 visits to compute a meaningful average.

As of February 25, 1991, OSEP had approved CAPs for 39 of the 51 state education agencies.[3] The states without approved CAPs had been monitored as early as fiscal year 1987. Of the approved CAPs, 15 cases had been closed; that is, OSEP had determined that the state had implemented all corrective actions.[4] To close the 15, it took, on average, about 3-1/2 years from the date of the monitoring visit and 1-1/2 years from the date a CAP was approved by OSEP.

Before closing a case, OSEP requires documentation to verify that corrective actions have been implemented. We reviewed the files of four states—Montana, Oklahoma, Rhode Island, and Texas--to identify the documents OSEP used to determine that states had complied with the CAPs. These states had a total of 91 corrective actions from which we judgmentally selected 32 to review. For all the reviewed corrective actions, documentation indicated that CAPs had been completed.

The following examples illustrate both the type of corrective actions taken and the type of documentation that OSEP used to verify implementation:

- In Montana, OSEP found that the manual for students' individual education plans did not have participant lists; such a list would show the involvement of parents or guardians in the education plans. Montana amended the individual education plan manual and forwarded a copy to OSEP.
- In Texas, OSEP found that the state monitoring plans did not include adequate instructions for collecting and analyzing information from local education agencies; this information would ensure that all deficiencies are identified. Texas submitted revised instructions to OSEP in accordance with the CAP.
- In Oklahoma, OSEP found that the local education agencies were providing parents with copies of the notice of their procedural safeguard rights that did not include all information as required. Oklahoma submitted a revised notice for agencies to use that included all of the required information and is used as a model procedural safeguards notice.
- In Rhode Island, OSEP found that at the training school for youth, students were not being appropriately identified and were not receiving the

[3]Although CAPS had been approved for 39 states, dates of approval were available for only 35 states.

[4]According to OSEP officials, a case generally will not be closed and another site visit scheduled for the state until all corrective actions have been completed.

services to which they were entitled. Rhode Island corrected these deficiencies and submitted documents showing corrective actions had been taken.

We discussed the content of this fact sheet with officials of the Office of Special Education and Rehabilitative Services and they agreed with the facts presented. As arranged with your office, we are sending copies of this fact sheet to the Secretary of Education and other interested parties. Please call me on (202) 275-1793 if you or your staff have any questions. Other major contributors are listed in appendix III.

Sincerely yours,

Franklin Frazier

Franklin Frazier
Director, Education
and Employment Issues

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Abbreviations

CAP	corrective action plan
OSEP	Office of Special Education Programs

OSEP Visits to the 50 States and District of Columbia for Monitoring of Formula Grants

State	Date key steps completed				
	Visit	Draft sent to state	Final report issued	CAP approved[a]	Closed[b]
Alabama	3/23/87	10/2/87	12/16/88	7/13/89	8/28/89
Alaska	9/14/87	2/7/89	11/17/89	7/13/90	[c]
Arizona	6/6/88	2/22/89	9/15/89	4/2/90	[c]
Arkansas	1/20/86	10/24/86	9/25/87	[d]	10/24/88
California	9/18/85	9/18/86	4/6/88	8/29/89	11/30/90
Colorado	6/1/87	3/29/88	2/21/89	8/16/89	[c]
Connecticut	2/6/89	4/7/89	8/1/90	11/26/90	[c]
Delaware	1/29/90	6/5/90	10/3/90	2/7/91	[c]
District of Columbia	4/11/88	3/17/89	1/26/90	[e]	[c]
Florida	2/23/87	10/8/87	7/12/88	8/18/89	[c]
Georgia	1/13/86	10/3/86	10/7/87	7/4/89	5/2/90
Hawaii	9/16/85	11/12/86	3/18/87	[d]	7/17/89
Idaho	12/11/89	7/17/90	12/11/90	[e]	[c]
Illinois	12/11/89	9/18/90	[f]	[e]	[c]
Indiana	11/18/85	1/6/87	2/13/88	4/18/89	11/15/90
Iowa	9/26/88	3/27/89	9/12/89	2/7/91	[c]
Kansas	12/9/85	1/6/87	10/8/87	7/19/89	6/14/90
Kentucky	8/18/85	7/28/86	7/15/87	2/24/89	[c]
Louisiana	2/12/90	8/24/90	[f]	[e]	[c]
Maine	6/8/87	6/14/88	7/27/90	[e]	[c]
Maryland	5/21/90	8/3/90	9/24/90	1/23/91	[c]
Massachusetts	3/15/86	3/3/87	9/25/87	[d]	8/28/89
Michigan	9/19/88	4/13/89	10/26/90	[e]	[c]
Minnesota	7/8/85	2/13/86	12/2/86	10/24/88	[c]
Mississippi	2/2/87	6/15/87	2/16/89	6/13/90	[c]
Missouri	1/11/88	1/27/89	8/31/89	11/29/90	[c]
Montana	2/27/89	6/20/89	3/2/90	7/5/90	2/28/91
Nebraska	5/15/87	10/7/87	2/24/89	5/16/90	[c]
Nevada	4/21/86	1/20/87	10/7/87	12/15/88	9/27/90
New Hampshire	5/15/89	8/4/89	5/22/90	2/7/91	[c]
New Jersey	3/6/87	10/8/87	4/28/89	[e]	[c]
New Mexico	3/14/88	3/6/89	6/30/89	5/4/90	[c]
New York	4/28/89	7/16/90	10/17/90	[e]	[c]
North Carolina	3/26/90	10/31/90	[f]	[e]	[c]
North Dakota	5/26/89	9/21/89	4/17/90	9/20/90	[c]
Ohio	1/27/86	3/16/87	9/27/87	[d]	8/4/88
Oklahoma	3/31/86	1/7/87	7/22/87	8/1/89	9/11/90
Oregon	12/1/86	7/28/87	7/5/88	6/29/89	[c]

(continued)

State	Date key steps completed				
	Visit	Draft sent to state	Final report issued	CAP approved[a]	Closed[b]
Pennsylvania	2/1/88	1/27/89	6/26/89	2/7/91	[c]
Rhode Island	6/2/86	3/11/87	9/29/87	9/29/88	8/20/90
South Carolina	5/6/85	12/2/85	12/9/86	3/2/89	[c]
South Dakota	10/23/89	4/17/90	8/10/90	[e]	[c]
Tennessee	4/27/87	3/11/88	2/24/89	[g]	2/24/89
Texas	4/14/86	3/11/87	2/23/88	11/9/89	11/20/90
Utah	3/20/89	5/12/89	12/22/89	8/20/90	[c]
Virginia	10/23/89	8/24/90	11/26/90	[e]	[c]
Vermont	4/6/87	3/29/88	2/24/89	7/19/89	[c]
Washington	5/16/88	1/31/89	9/22/89	5/31/90	[c]
West Virginia	3/24/86	3/20/87	1/28/88	10/5/88	[c]
Wisconsin	5/9/88	2/24/89	12/22/89	4/17/90	[c]
Wyoming	9/11/89	6/15/90	8/24/90	11/26/90	[c]

Note: The dates of the monitoring visits reflect the latest visit through fiscal year 1990. The date of the key steps is through February 25, 1991.

[a]Date OSEP approved state's CAP.

[b]Date OSEP closed case because it verified all corrective actions had been completed.

[c]Case not closed as of February 25, 1991.

[d]CAP approved, but date of approval not readily available from OSEP.

[e]CAP not approved as of February 25, 1991.

[f]Final report not issued as of February 25, 1991.

[g]Tennessee did not need a CAP because all corrective actions had been completed before the final report was issued.

Source: Office of Special Education Programs.

Average Processing Time for Key Steps

Numbers in months

Monitoring step	Fiscal year 1985	1986	1987	1989	1989	1990
From monitoring visit to draft sent to state	10.3	10.9	9.0	9.6	5.4	6.6
From draft sent to the state to report issued	11.2	9.3	14.4	8.3	9.3	3.3
From monitoring visit to report issued	21.5	20.2	23.4	17.9	14.7	9.9
From report issued to CAP approved	20.2	15.5	9.5	11.4	3.9	[a]

[a]Average not computed because not enough CAPs were approved, as of February 25, 1991, for states visited in fiscal year 1990.

Major Contributors to This Report

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